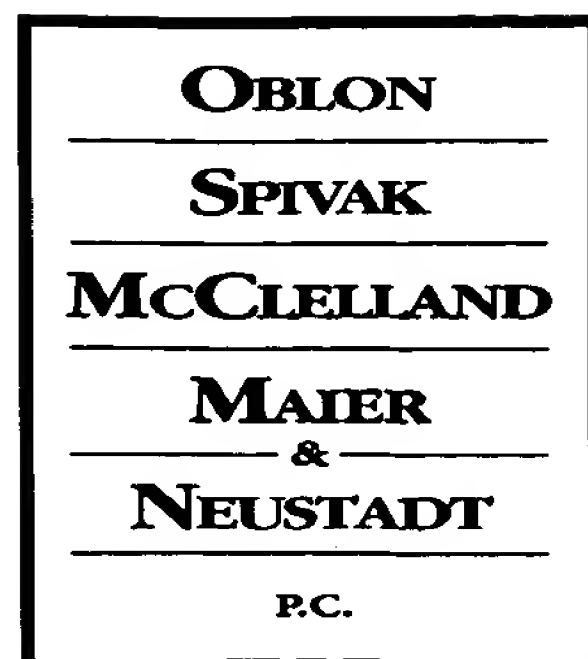




Docket No.: 205399US0X PCT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



RE: Application Serial No.: 09/787,923

Applicants: Alain SANSON, et al.

Filing Date: June 25, 2001

For: CHEMICAL STRUCTURE HAVING AN AFFINITY
FOR A PHOSPHOLIPID AND LABELLING
COMPOUND, DIAGNOSE KIT, AND DRUG
COMPRISING THIS STRUCTURE

Group Art Unit: 1653

Examiner: Snedden, S.

SIR:

Attached hereto for filing are the following papers:

Preliminary Amendment and Response to Notice of Non-Response

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon

Vincent K. Shier, Ph.D.
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1653
IFW

DOCKET NO.: 205399US-0X PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

ALAIN SANSON ET AL

SERIAL NO: 09/787,923

FILED: JUNE 25, 2001

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: ART UNIT: 1653

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: EXAMINER: SNEDDEN, S.

FOR: CHEMICAL STRUCTURE HAVING AN AFFINITY FOR A PHOSPHOLIPID
AND LABELLING COMPOUND, DIAGNOSE KIT, AND DRUG COMPRISING
THIS STRUCTURE

PRELIMINARY AMENDMENT AND
RESPONSE TO NOTICE OF NON-RESPONSE

COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313-1450

SIR:

In response to the Official Action dated April 21, 2004, Applicants affirm the election of Group I (Claims 1-20, 31, 33-36, 38, 40-47, and 68-71, drawn to a chemical structure with an affinity for a phospholipids) with traverse. Applicants also affirm the election, with traverse, a structure of VII (cyclic or linear) and further elect the peptide sequence from Arg25 to Gly72 of SEQ ID NO: 2 (which is part of domain D1 of human annexin V) as single disclosed Species. Claims 13-17, 19, 21, 22, 32, 37, 39, 43, 45, 46, 50, 51, 55, 56, 60, 61, 65, 66, 69, 70, 72, 74, 75, 78, 80, 81, 84, 85, 87, 89, 90, 92, 93, 95, 96, 98, 99, 101, 102, 104, 105, 107, 108, 110, 112, 113, and 115 are believed to read on the elected species. Prior to examination on the merits, please amend the above-identified application as follows:

Amendments to the Specification begins on page 2 of this response.

Amendments to the Claims begins on page 4 of this response.

Support for the Amendments begins on page 30 of this response.

Remarks begin at page 31 of this response.